

VDF Regulation 601-210

Effective 15 April 2010

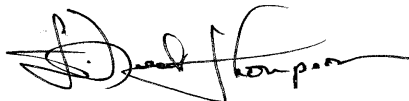
History. This publication is a major revision of VDF personnel enlistment policy and supersedes the provisions of VDF Regulation 600-10, chapter 2.

Summary. This revision updates the policy and procedures for enlistment of enlisted personnel in the Virginia Defense Force.

Proponent and exception authority. The proponent of this regulation is the Assistant Chief of Staff, G-1. The Adjutant General of Virginia has the authority to approve exceptions or waivers to this regulation. The Commanding General of the VDF has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. The Commanding General may delegate this approval authority, in writing, to such officers and levels of command as he deems necessary. Units may request a waiver of the provisions of this regulation IAW the provisions of Chapter 4.

Supplementation. The requirements and standards of this regulation apply throughout the Division. Supplementation of this regulation and establishment of command and local forms are prohibited.

Official: FOR THE COMMANDING GENERAL, VDF:

A handwritten signature in black ink, appearing to read 'Francis N. Thompson', with a stylized flourish at the end.

FRANCIS N. THOMPSON
MAJ, GS, VDF
ACoS, G1

ACCESSION OF ENLISTED PERSONNEL IN THE VIRGINIA DEFENSE FORCE

	<u>PARAGRAPH</u>	<u>PAGE</u>
Chapter 1: Introduction		1
Section I: General		1
Purpose	1-1	1
References	1-2	1
Explanation of abbreviations and terms	1-3	1
Responsibilities	1-4	1
Chapter 2: Enlistment of Non-prior Service Personnel		1
General	2-1	1
Basic eligibility criteria for all non-service applicants	2-2	2
Age	2-3	2
Citizenship	2-4	3
Trainability	2-5	3
Physical and Mental Qualifications	2-6	3
Moral and Administrative Qualifications	2-7	3
Enlistment ranks for personnel without prior service	2-8	4
Semester hour requirements	2-9	5
Restrictions on Appointment as Non-Commissioned Officers	2-10	5
Chapter 3: Enlistment of Prior Service Applicants		5
General	3-1	5
Verification of prior service (PS)	3-2	5
Enlistment ranks for PS personnel	3-3	6
Reentry eligibility codes	3-4	6
U.S. Army reentry eligibility codes	Table 3-1	6
U.S. Navy and U.S. Coast Guard reentry eligibility codes	Table 3-2	7

ACCESSION OF ENLISTED PERSONNEL IN THE VIRGINIA DEFENSE FORCE

	<u>PARAGRAPH</u>	<u>PAGE</u>
U.S. Air Force reentry eligibility codes	Table 3-3	7
U.S. Marine Corps reentry eligibility codes	Table 3-4	7
Chapter 4: Waivers		8
Section I: Waiverable and Nonwaiverable Disqualifications		8
General	4-1	8
Moral and administrative disqualifications	4-2	8
Nonwaiverable medical, moral, and administrative disqualifications	4-3	8
Waiverable medical, moral, and administrative disqualifications	4-4	9
Section II: Administrative Instructions for Moral and Administrative Waivers		9
General	4-5	9
Waiver approval authority	4-6	9
Validity period	4-7	9
Waiver approval procedures	4-8	9

Chapter 1: Introduction

Section I: General

1-1. Purpose

This regulation prescribes policy, eligibility requirements, and administrative procedures for the enlistment of enlisted personnel in the Virginia Defense Force (VDF).

1-2. References.

- a. Code of Virginia Title 44: Military Laws of Virginia.
- b. Permanent Order 1-1 (VaDF) TAG, VA 1 March 1988.

1-3. Definitions.

Unless otherwise defined herein, the following terms used in this regulation mean the following:

“Commanding General”: the Commanding General of the Virginia Defense Force.

“Non-prior service”: Persons without prior military training in the Armed Services. As used in this regulation, the term “Armed Services” means a federal uniformed military or naval service: the Army, Navy, Air Force, Marine Corps, and Coast Guard. For purposes of this regulation, the Public Health Service, the Civil Air Patrol, and the US Coast Guard Auxillary are not federal military or naval services and are not included within the term “Armed Services”. Persons discharged from any component of the Armed Services without completing entry level training are considered non-prior service for the purposes of this regulation.

“Prior service”: Former members of a State Defense Force, or former members of any Armed Service who have been awarded a military occupational specialty (MOS), Air Force skill code (AFSC), Navy rating or equivalent classification.

“State Defense Force”: a non-federal state military organization created pursuant to the authority of 32 USC section 109(c) and which has been recognized by the Adjutant General of the state in which it was created

1-4. Responsibilities.

- a. The VDF Assistant Chief of Staff for personnel and administration (“G-1”) will establish personnel policies relating to personnel enlistments and will conduct and supervise all prescribed personnel administrative functions. All such policies shall be in writing, shall specifically refer to this regulation, and shall be attached to and become a part of this regulation at the time such policies are published.
- b. The VDF Staff Judge Advocate (SJA), upon request, will review VDF administrative changes to verify the legality of prescribed policies and changes.

Chapter 2: Enlistment of Non-prior Service Personnel

2-1. General.

- a. Enlistment considerations. Enlistment of qualified persons will be the foremost goal of persons who take part in, or are connected with, processing applicants for enlistment in the Virginia Defense Force.

b. Meeting requirements. Eligibility will be determined by the person's ability to meet all requirements of this regulation, to include obtaining waivers. Applicants will not be enlisted if any doubts about their qualifications cannot be resolved.

c. Source documents. Recruiting personnel must examine all source documents for discernible evidence of tampering or alteration. Documents used to substantiate basic eligibility criteria will be legible, written in English, or officially translated to English. All source documents must be original, or certified as an official copy of the original and included in the enlistment packet. These documents include licenses or certificates required for enlistment in grades above Recruit (PV1) (see para 2-8).

d. Document certification. Certification that a copy is of the original document may be made by a unit first sergeant, command sergeant major, commissioned officer or warrant officer. Civilian sources, such as a notary public or a school official (for student transcripts) are also acceptable.

2-2. Basic eligibility criteria for all non-prior service applicants

Persons who apply for enlistment in the VDF must meet eligibility criteria of this chapter and any other requirements for the manning table of organization (MTO) position in which they are enlisting. Persons discharged from any component of the Armed Services without completing entry level training are considered non-prior service for the purposes of this regulation.

2-3. Age

a. Age requirements are established by statute and are not waiverable. An applicant is eligible for enlistment if he/she is not less than 18 years of age and has not reached his or her 65th birthday; or, is not less than 16 years of age and has not reached his/her 18th birthday and VDF Form 14-R parental/guardian consent for enlistment has been properly prepared and completed.

(1) Consent of parents or legal guardians must be in writing and delivered to the enlisting person prior to enlistment.

(2) Enlistment is not authorized if either parent objects. However, if only one parent is entitled to legal custody of the applicant (for example, by reason of divorce decree), or one parent is deemed incapacitated, or is absent at an unknown location for an indefinite period, or is incarcerated and will not be released prior to the applicant's 18th birthday, then only the "custodial" parent's consent is required. VDF personnel will identify any supporting document used and indicate its identifying marks, such as petition, file, or docket number on the VDF Form 14-R.

b. Documents and procedures used to verify eligibility include:

- (1) Birth certificate.
- (2) INS Form N-550/551/570 Naturalization Certificate.
- (3) USCIS Form N-560 or N-561 (Certificate of United States Citizenship).
- (4) U.S. passport.
- (5) DD Form 372 (Request for Verification of Birth).
- (6) Department of State (DS) Form 1350 (Certification of Birth).
- (7) Foreign Service (FS) Form 545 (Certification of Birth Abroad of U.S. Citizen).
- (8) FS Form 240 (Consular Report of Birth Abroad).
- (9) Tribal card (not expired) or letter from tribal council for American Indians born in Canada under the Jay Treaty.

- (10) Foreign Passport (unexpired).
- (11) Virginia drivers license or other official Virginia identification card.
- (12) DD Form 214, NGB Form 22 or equivalent.

2-4. Citizenship

a. An applicant is eligible for enlistment if he/she is a legal resident of Virginia and any of the following apply:

- (1) Citizen of the United States.
- (2) Alien who has been lawfully admitted to the United States for permanent residence.
- (3) National of the United States.
- (4) Citizens (to include naturalized citizens) of the Federated States of Micronesia (FSM), Palau, and the Republic of the Marshall Islands (RMI).

b. Documents to verify eligibility include those listed in paragraph 2-3 (b).

2-5. Trainability

Waiver requests will not be considered if the applicant does not meet the requirements discussed below. To be eligible for enlistment, an applicant must meet the following criteria:

- a. Applicant must meet licensing and/or certification requirements for the billet for which they are enlisting.
- b. Applicant must have the ability to read, write, and speak sufficient English to understand the oath of enlistment and the pre-enlistment interview.

2-6. Physical and Mental qualifications.

- a. An applicant must be physically and mentally able to perform those duties to which he or she is assigned.
- b. Applicants who have an existing serious medical condition that may impact their ability to perform their assigned duties will require a medical screening and fitness determination by the Division Surgeon.

2-7. Moral and Administrative qualifications.

- a. Each applicant must be of good moral character.
- b. Applicants must not have any criminal convictions, adverse juvenile adjudication, pre-trial diversion for a felony or domestic assault and battery, or any type of court-martial conviction. A request for a waiver of a conviction, offense, or unfavorable juvenile court decision will be submitted in affidavit form or supported by documentary evidence citing the offense, the court action, and the judgment and sentence rendered. No waiver is required for minor traffic or minor non-traffic offenses resulting in a fine of \$250 or less, except when the applicant has accumulated six or more such offenses during any 12-month period.
- c. Current members of the active component of any branch of the Armed Services, current members of any reserve component (active or inactive, except for Retired Reserve) are ineligible for VDF membership. Retired service members of any component of any branch of the Armed Services are eligible for VDF membership.

2–8. Enlistment ranks for personnel without prior service.

a. The following explains who may enlist and when and at what rank. An applicant who—

(1) Has no qualifications for advancement to a rank higher than Recruit (PV1) may enlist at any time.

(2) Has completed 1 or 2 years of Junior ROTC (JROTC) or a National Defense Cadet Corps (NDCC) Program may enlist at any time at the rank of PV1.

(3) Has completed 3 or more years of JROTC or a NDCC Program may enlist at any time at the rank of Private (PV2).

(4) Has completed 1 year of Senior ROTC (SROTC) may enlist at any time at the rank of Private First Class (PFC).

(5) Has attended any U.S. military service academy or USAMAPS for 179 days or fewer may enlist at any time at the rank of PV2 or at grade determined by the amount of college credit completed, whichever is greater.

(6) Has successfully completed 24 or more classroom semester hours (36 or more quarter hours) at a degree granting college whose accreditation is recognized by the U.S. Department of Education (foreign transcripts must be submitted to Division for evaluation) may enlist at any time at the rank of PV2.

(7) Has successfully completed 48 or more classroom semester hours (72 or more quarter hours) without obtaining a 4-year degree at an accredited degree granting college or university whose accreditation is recognized by the U.S. Department of Education (foreign transcripts must be submitted to the VDF Assistant Chief of Staff, G1 for evaluation) may enlist at any time at the rank of PFC. Applicants with an associate degree will be enlisted at the rank of PFC without regard to the number of semester or quarter hours completed.

(8) Has successfully completed 2 or more academic years of a postsecondary vocational-technical school and has received a certificate of training attesting to successful completion of the course of study may enlist at any time at the rank of PFC. The school's accreditation must be recognized by the U.S. Department of Education.

(9) Has successfully completed a degree-producing college program of 4 years duration and the college or university whose accreditation is recognized by the U.S. Department of Education (foreign transcripts must be submitted to VDF Division Headquarters for evaluation) has awarded him or her a bachelor degree or higher may enlist at any time at the rank of Specialist (SPC). Advanced promotion to the rank of SPC is authorized if such college or university provides a letter stating the applicant has met all requirements for a degree, but that it will not be awarded until commencement ceremony.

(10) Has completed all phase II requirements of the Air Force Civil Air Patrol and has been awarded the Billy Mitchell Award may enlist at any time at the rank of PV2.

(11) Has taken part in the Naval Sea Cadet Corps (NSCC) and has been awarded NSC 19A (record of cadet advancement) may enlist at any time at the rank of PV2.

(12) Has been awarded the Boy Scout Eagle certificate as a member of the Boy Scouts of America (Form 58–708) or the Quartermaster Award Certificate may enlist at any time at the rank of PV2.

(13) Has earned the Girl Scout Gold award certificate as a member of the Girl Scouts of America may enlist at any time at the rank of PV2.

(14) Has completed Army pre-Basic Training task list as a member of DEP/DTP may enlist at any time at the rank of PV2.

(15) Is qualified under the Army Civilian Acquired Skills Program then in effect may enlist at any time at the rank of SPC. ACASP applicants must present valid evidence of completion of required civilian training to enlistment authorities. This evidence may include certificates, transcripts, diplomas, union cards, or employment records showing the period of actual work experience, training received, degree of proficiency attained, and a summary of duties and training in a civilian-acquired skill. Training may include successful completion of union, industry, or Government recognized training or apprenticeship programs. Certificates and diplomas submitted by applicants must bear the original seal of the institution awarding the document, or be documented as true copies. ACASP skills currently accepted in the VDF are for HF radio operators, information technology, and medical/health professionals.

2-9. Semester hour requirements

a. Combining of semester hours with quarter hours or combining clock hours with either semester or quarter hours for advanced promotion is authorized.

b. For non-degree granting education institutions that award clock hours or quarter hours, the following will equate:

- (1) Clock hours: 45 = 1 semester hour.
- (2) Quarter hours: 1.5 = 1 semester hour.

c. Classroom semester hours also include credits earned by college test programs (such as the College Level Examination Program or Internet courses). Classroom semester hours are for college-level courses only (100 series and above). Courses below the 100 series may be used if the college or university applies them to a degree-producing program.

2-10. Restrictions on Appointment as Non-Commissioned Officers

Non-prior service applicants enlisted in the grade of SPC under the provisions of para 2-8 will be appointed as Specialists and not as Corporals.

Chapter 3: Enlistment of Prior Service (PS) Applicants

3-1. General

This chapter prescribes basic eligibility criteria for PS applicants for enlistment in the VDF. Eligibility requirements are the same as for NPS as prescribed in chapter 2, except as modified below.

3-2. Verification of PS

Commanders at all levels in the VDF will emphasize the need for early detection of possible erroneous or fraudulent enlistment of applicants. Prior military service can be verified as follows:

(1) For applicants who served in the RA, an original or certified copy of the DD 214 will verify PS:

(2) For applicants who served in the RC, the DD Form 214 or DD Form 215 will be used to verify all periods of active and inactive military service of the member before the date of his or her last separation from active military service.

(3) For applicants who served in the National Guard, the NGB Form 22 will verify PS.

(4) For applicants who served in a State Defense Force, an original letter of discharge or other official discharge document issued by the entity of the state which is authorized to issue the same.

3-3. Enlistment ranks for PS personnel.

PS personnel may be enlisted up to the rank held at the time of discharge as evidenced by the documentation used to verify PS as listed in paragraph 3-2, above.

3-4. Reentry eligibility codes

The following RE codes (tables 3-1 through 3-4) are used for administrative purposes only. Applicants should be advised that these codes are not to be considered derogatory in nature; they simply are codes used for identification of an enlistment processing procedure. Waiver requests for those codes cited as waiverable will be forwarded through command channels to Division HQ for action IAW with Chapter 4. As per Common-wealth Executive Order, RE codes dealing with sexual orientation which may have previously been classified as ineligible, are not considered applicable to the VDF enlistment process.

Table 3-1: U.S. Army reentry eligibility codes

Code Definition

RE-1 Applies to: Person completing his/her term of active service who is considered qualified to reenter the U.S. Army.

Eligibility: Qualified for enlistment in the VDF if all other criteria are met.

RE-3 Applies to: Person who is not considered fully qualified for reentry or continuous service at time of separation, but disqualification is waivable.

Eligibility: Ineligible unless a waiver is granted.

RE-4 Applies to: Person separated from last period of service with a nonwaivable disqualification. This includes anyone with a Department of the Army imposed bar to reenlistment in effect at time of separation, or separated for any reason (except length of service retirement) with 18 or more years AFS.

Eligibility: Ineligible for enlistment.

RE-4R Applies to: A person who retired for length of service with 15 or more years AFS.

Eligibility: Eligible for enlistment in the VDF.

RE 1A, 1B, 1C, 2, 2B, 2C, and 4A:

Applies to: Soldier separated prior to the effective date of this regulation. These codes will not be used.

Eligibility: Qualified for enlistment, provided reason and authority does not preclude enlistment or require a waiver.

RE 2A, 3A, 3B, 3C, 3D, 3E, 3S, and 3V

Applies to: Soldiers separated prior to the effective date of this regulation but did not meet reentry criteria at time of separation.

Eligibility: Ineligible unless a waiver is granted.

Table 3–2: U.S. Navy and U.S. Coast Guard reentry eligibility codes

Code Definition

RE–1, 1E, 1R, 3J, 3M, 3X, 5, 6 and 7

Applies to: Eligible for reenlistment.

Eligible: Qualified if all other applicable criteria are met.

RE–3A, 3B, 3C, 3D, 3E, 3F, 3G, 3H, 3K, 3L, 3N, 3P, 3Q, 3R, 3S, 3T, 3U, and 3Y

Applies to: Persons separated with disqualifications for retention.

Eligibility: Not eligible for enlistment unless a waiver is granted.

RE -3A, 3B, 3R, 3T, 3U, 3Y, 3Z

Applies to: Persons separated with disqualifications for retention.

Eligibility: For VDF fully eligible for enlistment.

RE–2, 3V and 4 Applies to: Ineligible for reenlistment.

Eligibility: Not eligible for enlistment

Table 3–3: U.S. Air Force reentry eligibility codes

Code Definition

RE–1, 1J, 1R, 1T, 2I,3A, 3I, and 3J

Applies to: Eligible to reenlist.

Eligibility: Qualified if all other applicable criteria are met.

RE–1A, 1K, 1M, 1P,2A, 2C, 2D, 2E, 2F, 2J, 2K, 2L, 2M, 2N,2P, 2T, 2U, 2X, 2Y, 3B, 3C, 3D, 3E, 3K, 4, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4I, 4J, 4K, 4L, 4M and 4N

Applies to: Ineligible to reenlist without waiver.

Eligibility: Not eligible for enlistment unless waiver is granted.

RE–2, 2B, 2G, 2H, 2Q, 2R, 2S, and 2W

Applies to: Not eligible to reenlist.

Eligibility: Not eligible for enlistment.

Table 3–4: U.S. Marine Corps reentry eligibility codes

Code Definition

RE -1, 1A, 2A, 3A, and 3U.

Applies to: Eligible to reenlist.

Eligibility: Qualified to enlist provided all other criteria are met.

RE–1B, 1C, 2C, , 3C, 3D, 3E, 3F, 3H, 3J, 3N, 3O, 3P, 3R, 3S, 3T, 3V, and 3W.

Applies to: Personnel separated with disqualifications.

Eligibility: Not eligible unless a waiver is granted.

RE 2, 2B, and 4B

Applies to: Not eligible to reenlistment.

Eligibility: Not qualified for enlistment.

Chapter 4: Waivers

Section I: Waiverable and Nonwaiverable Disqualifications

4-1. General

This section contains waiverable and nonwaiverable enlistment criteria and prescribes procedures to initiate and process a request for waiver to meet basic enlistment qualifications. A request for waiver will be submitted in writing through command channels to the VDF Commanding General. Such waivers may be granted by the VDF Commanding General only under exceptional circumstances.

4-2. Moral and administrative disqualifications

- a. Commanders at all levels will determine if waiver requests warrant favorable consideration through—
 - (1) Questioning.
 - (2) Investigating.
 - (3) Counseling.
 - (4) Gathering proper documents and waiver request information.
- b. VDF members who are not designated as a waiver approving authority do not have the authority to disapprove a waiver request or to refuse to forward an applicant's request to higher headquarters. This does not preclude commanders at any level from making an adverse recommendation in the case.
- c. Applicants who do not meet established enlistment standards are not eligible for enlistment unless a waiver is authorized. Commanders cited in this regulation have the authority to approve waivers as appropriate. The burden is on the applicant to prove to waiver authorities that he or she has overcome his/her disqualifications for enlistment and that his/her acceptance would be in the best interests of the VDF. Waiver authorities will apply the "whole person" concept when considering waiver applications

4-3. Nonwaiverable medical, moral, and administrative disqualifications

The following disqualifications cannot be waived:

- a. Intoxicated or under influence of alcohol or drugs at time of application, or at any stage of processing for enlistment.
- b. Having history of psychotic disorders or state of insanity at time of application for enlistment.
- c. Questionable moral character.
- d. Alcoholism or drug dependence.
- e. A person convicted of an offense which is or would be a crime of moral turpitude or a sexually violent offense as described in Virginia law may not be enlisted in the VDF.
- f. Prior service applicants discharged under dishonorable or other than honorable conditions where the discharge was predicated upon the commission of an act or acts listed in subparts "a" through "e" of this paragraph.

4-4. Waiverable medical, moral, and administrative disqualifications.

The following disqualifications can be waived:

- a. Prior service applicants discharged with lost time in their last enlistment. Waivers for PS applicants with 3 or fewer days of lost time and in the grades of SPC and below may be approved by the first Colonel (0-6) commander in the chain. This authority may not be further delegated. All other lost time waivers must be approved by the VDF Commanding General.
- b. Convicted felons who have their civil rights restored by civil authority may apply for membership in the VDF.
- c. The VDF Commanding General may grant a waiver for an offense under military or civil codes if the offense was not a felony and the offense did not involve moral turpitude or was a sexually violent offense.
- d. PS RE Code waivers for waiverable codes listed in tables 3-1 to 3-4.

Section II: Administrative Instructions for Moral and Administrative Waivers

4-5. General

This section prescribes procedures for processing requests for waivers to meet basic enlistment qualifications.

4-6. Waiver approval authority

Unless otherwise specified in this regulation or further delegated in writing, the enlistment waiver authority within the VDF is the Commanding General.

4-7. Validity period

Unless otherwise stated on waiver cover sheet or document, waivers granted under this chapter are valid for 45 days from approval date unless a change in status occurs. If an enlistment is not effected within the valid waiver period, the waiver expires.

4-8. Waiver approval procedures.

A request for waiver will be submitted in writing through command channels to the VDF Commanding General. Such waivers may be granted by the Commanding General only under exceptional circumstances.

The request will state the provision of this regulation for which a waiver is requested, the recommendations of all commanders in the chain of command, to include their rationale and all supporting documents for the waiver claim. In every case such request shall provide justification that includes a full analysis of the expected benefits which would inure to the VDF by granting such request.